

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/775,215	KINNEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael I Poe	1732	

**All Participants:**

**Status of Application:** Restricted

(1) Michael I Poe (Examiner).

(3) \_\_\_\_\_.

(2) Stephen Fabry (Applicant's attorney).

(4) \_\_\_\_\_.

**Date of Interview:** 2 September 2004

**Time:** 5:00 PM

**Type of Interview:**

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

**Exhibit Shown or Demonstrated:** ☐ Yes ☒ No

If Yes, provide a brief description:

**Part I.**

**Rejection(s) discussed:**

*None specifically*

**Claims discussed:**

*14-27*

**Prior art documents discussed:**

*None specifically*

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*See Continuation Sheet*

**Part III.**

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner called the applicant's attorney to discuss changes that were necessary to place the application in condition for allowance. The examiner stipulated that, since claim 18 includes each and every limitation of the allowed product of claim 1 of U.S. Patent No. 6,736,374 B2, claim 18 and the claims dependent thereupon are allowable in view of *In re Ochiai*, 71 F.3d 1565, 37 USPQ2d 1127 (Fed. Cir. 1995) and *In re Brouwer*, 77 F.3d 422, 37 USPQ2d 1663 (Fed. Cir. 1996). As such, the claims of the instant application were in condition for allowance except for the presence of non-elected claims 14-17 and 24-27. In order to expedite allowance of elected claims 18-23, the applicant's attorney authorized the cancellation of non-elected claims 14-17 and 24-27 without prejudice to the filing of divisional application(s). The examiner and applicant's attorney also agreed to change the title and abstract so that they better reflected the allowable invention. The examiner and applicant's attorney finally agreed to change the reference to the previous applications to include the patent number of the parent application. The applicant's attorney authorized the examiner to proceed with these changes via Examiner's Amendment during the telephone interview. Refer to the Examiner's Amendment for a complete listing of changes.